

Appl. No. 10/780,714
Amendment dated: January 11, 2006
Reply to OA of: December 12, 2005

REMARKS

In response to the Examiner's Restriction Requirement, Applicants provisionally elect the Group I invention including claims 1-5 and 8-10, drawn to an electron emission element for further prosecution on the merits, with traverse.

Applicants have added claims 13 and 14 in order to more particularly define the claimed subject matter, without adding new matter and in full compliance with the statutory requirements.

The Examiner asserts that the present invention including Group I (claims 1-5 and 8-10) and Group II (claims 6 and 7) must be restricted to Group I or II under 35 U.S.C. 121. However, the method claims 13 and 14 have been newly added in the form of dependent claims by reciting the carbon substance of claims 1 and 2 of Group I, respectively. These are linking claims linking the inventions so that they are examinable together. Therefore, it is believed that claims 13 and 14 should be examined together with the claims of the Group I invention.

It is also believed that claims 13 and 14 are linking claims of claims 1 and 6, and claims 2 and 7, respectively, and thus form one invention for examination on the merits.

Accordingly, Applicants respectfully submit that the invention of Group I and Group II be included in one application and be examined by the Examiner for an expedited and efficient prosecution proceeding and for a consistent examination.

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In view of the foregoing, Applicants most respectfully request that the Restriction Requirement be withdrawn upon reconsideration.

Respectfully submitted,

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